



**Substitute Senate Bill No. 939**

**Public Act No. 11-173**

**AN ACT CONCERNING REVISIONS TO ELECTIONS RELATED STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 9-35c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of sections 9-238, 9-406, as amended by this act, and 9-436 and other provisions of the general statutes, the names of electors on the inactive registry list compiled under section 9-35 shall not be counted for purposes of computing the number of [voting machines required and the number of] petition signatures required. Each elector on such inactive registry list who, in the determination of the registrars, has signed a petition pursuant to the general statutes, giving the same address as appears on the inactive registry list, shall forthwith be placed on the active registry list compiled under said section 9-35. Each such elector shall be counted for purposes of future computations of the number of [voting machines required and the number of] signatures required on future petitions issued for other electoral events. The names of electors on the inactive registry list compiled pursuant to section 9-35 shall not be counted for purposes of computing the minimum percentage of the number of electors required in any charter or special act, if such charter

**Substitute Senate Bill No. 939**

or special act requires approval of a referendum by a minimum percentage of electors qualified on the last-completed registry list or has a similar requirement.

Sec. 2. Section 9-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The list for which provision is made in section 9-35 shall be termed the preliminary registry list and such list shall be [completed, certified by such registrars and deposited in the town clerk's office, at least thirty-one days before the regular election, and shall be on file in such office] available in the office of the registrars of voters for public inspection [until the next preliminary registry list has been completed and filed. In each municipality having a population of more than five thousand, a certified copy of such preliminary registry list for each voting district therein shall be completed, reproduced, certified by the registrars and posted in such municipality for public inspection on or before the Saturday of the fifth week before each regular election,] and copies shall be made available for distribution by the registrars of voters. Whenever the registrars of voters are not in their office, such list shall be available at another municipal office. The registrars of voters shall, upon request, give to [a] any candidate for election [to the General Assembly] a copy of the preliminary registry list for each voting district [included in the General Assembly district] for which such person is a candidate.

Sec. 3. Section 9-37 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[Each registrar shall keep a copy of the preliminary registry list for his use in revision. Such registrars shall give notice in such list of the times and places at which they will hold one or more sessions during the period between the Saturday of the fifth week before the regular election and the Saturday of the fourth week before the regular

**Substitute Senate Bill No. 939**

election, for the revision and correction of such list which, when completed, shall be termed the "final registry list" for such election. In each municipality having a population of more than five thousand, they shall also give notice of such times and places by publication in a newspaper circulating in such municipality and by posting the same on the signpost therein, if any, and at the office of the town clerk at least five days before the first of such sessions. The number of sessions shall be fixed by the registrars of each municipality. The registrars shall also hold sessions, of which no public notice need be given, for the purpose of correcting such preliminary list, and for the purpose of adding to such list the names of persons entitled to be registered thereon, on each day they are in session for the admission of electors pursuant to section 9-17, and they may also hold sessions for revision and correction of the registry list on any other day, except during the period of six days preceding any regular election. On the fourteenth day before a primary, the registrars shall hold an additional session to hear such requests for adding names to the registry list, in accordance with the procedure provided in this section, and the registrars shall publish notice of such sessions in a newspaper having general circulation in such municipality at least five days before such sessions. Nothing in this section shall require that such publication be in the form of a legal advertisement] The registrars of voters or the assistant registrars of voters shall be available for at least one day during the fourteen-day period immediately before all elections for revisions and corrections of the preliminary list which, when completed, shall be termed "the final registry list" for such election. In each municipality, availability of the registrars of voters shall be the posted office hours in such municipality for the registrars of voters.

Sec. 4. Section 9-38 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The registrars of voters in all towns shall [, on the second Friday

**Substitute Senate Bill No. 939**

preceding a regular election, deposit in the town clerk's office the final registry list arranged as provided in section 9-35 and certified by them to be correct, and shall retain a sufficient number of copies to be used by them at such election for the purpose of checking the names of those who vote. They shall place on such final list, in the order provided in section 9-35, the names of all persons who have been admitted as electors. In each municipality said registrars shall also cause to be prepared and printed and deposited in the town clerk's office a supplementary or updated list containing the names and addresses of electors to be transferred, restored or added to such list prior to the fourth day before such election, provided in municipalities having a population of less than twenty-five thousand, such additional names may be inserted in writing in such final list. Such final registry list and supplementary or updated list deposited in the town clerk's office shall be on file in such office for public inspection for a period of two years, and any elector may make copies thereof] produce a final registry list in accordance with the provisions of section 9-37, as amended by this act, and certified by such registrars of voters to be correct. Such final registry list and an updated list that contains the names and addresses of electors to be transferred, restored or added to such list, shall be available in the municipal clerk's office not later than the day following the last day that an elector may make changes to the elector's registration and shall be available in the registrars of voters' office for public inspection. Whenever the registrars of voters are not in their office, such list shall be available at another municipal office.

Sec. 5. Section 9-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The registrars of voters of each municipality shall print copies of the final registry list for distribution in such municipality and in all the voting districts located therein. [, provided nothing in sections 9-12 to 9-45, inclusive, shall require the printing of more than one final

**Substitute Senate Bill No. 939**

registry list for any voting district in any one year. With each printing such registrars shall retain at least two copies of such lists and such copies shall be available for public use in the office of the registrars for a period of two years.] The registrars shall, upon request, [give to a] produce for any candidate for election [to the General Assembly a copy of] the final registry list for each voting district [included in the General Assembly district] for which such person is a candidate and shall maintain such list, either on paper or in electronic format, for a period of two years.

Sec. 6. Section 9-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) If it appears at any time that the name of an elector who was formerly admitted or registered as an elector in a town and who is a bona fide resident of such town has been omitted from the active registry list compiled under section 9-35 by clerical error, the registrars of voters shall add such name to such list; provided no name shall be added to the active registry list on election day [, under the authority conferred by this section,] without the consent of both registrars of voters.

(b) If it appears at any time that the name of an elector who was formerly admitted or registered as an elector in a town and who is a bona fide resident of such town has been omitted from the active registry list, the registrars of voters shall, upon [a written request] submission of a new application for voter registration signed by the elector under penalties of false statement, [to the registrar stating that such elector is still a bona fide resident of such town and is not an elector of any other town,] add such name to [such] the active registry list, provided no name shall be added to the active registry list on election day [, pursuant to this section,] without the consent of both registrars of voters.

**Substitute Senate Bill No. 939**

(c) The registrars of voters shall cause the inactive registry list compiled under section 9-35 to be completed and printed and [deposited in the town clerk's office and] available to the public. The registrars of voters shall provide [a sufficient number of] copies for use in the polling place on election day. If on election day the name of an elector appears on such inactive registry list, including the name of an elector who has not responded to a confirmation of voting residence notice under subsection (e) of section 9-35 and has not voted in two consecutive federal elections, such name shall be added to the active registry list upon [written affirmation] submission of a new application for voter registration signed by the elector, under penalties of false statement, before an election official at the polling place [, that such elector is still a bona fide resident of such town,] and upon the consent of both registrars of voters or assistant registrars of voters, as the case may be, in the polls.

(d) The name of no elector shall be added to the active registry list under the provisions of this section, unless [his] the elector's name or some name intended for his name was on the active registry list for at least one of the four years previous. [or on one of the preliminary active registry lists for the year in which the registrars are in session.]

Sec. 7. Section 9-42a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a) As used in this section, the term "municipal office" shall be construed as defined in section 9-372, except that such term shall not include the municipal offices of state senator and state representative.]

[(b)] (a) On the written request of any elector who identifies himself to the satisfaction of the registrars of voters, such registrars shall make any changes in the name of such elector as it appears on the registry list, provided such elector furnishes reasonable evidence to the registrars that the name as changed is a lawful name of such elector.

**Substitute Senate Bill No. 939**

No such change shall be made between the Tuesday of the fifth week before a regular election and the day of such election.

[(c)] (b) No such change in the name of a candidate at a primary shall affect the name of the candidate as it appears on the primary ballot. [unless the elector is a candidate for town committee or municipal office and the change is made not later than the twenty-ninth day preceding the day of the primary.] No such change in the name of a major party candidate at an election shall affect the name of such candidate as it appears on the election ballot. [unless the elector is a candidate for municipal office and the change is made not later than the fifty-fifth day preceding the day of such election.] No such change in the name of a minor party candidate or a nominating petition candidate for any office at an election shall affect the name of such candidate as it appears on the election ballot. [unless the change is made not later than the fifty-fifth day preceding the day of the election.]

Sec. 8. Section 9-50a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The registrars of voters of each town shall [, on a monthly basis,] compile a list of (1) all persons whose names were added, restored, removed or erased from the active and inactive registry lists, [during the preceding month,] (2) all electors who changed either their names or addresses, [during such period] and (3) all persons sent notices required under the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time, and all persons who have replied to such notices. Such list shall include, but not be limited to, each such person's or elector's (A) name, (B) former name, [if changed during such period,] (C) address, [including zip code,] (D) former address, [including zip code, if changed during such period,] (E) voting district, and (F) party affiliation, if any. The registrars shall make each such list available to the public in accordance with the provisions of section 1-

**Substitute Senate Bill No. 939**

210.

Sec. 9. Section 9-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The registrars of voters shall cause to be printed at least once during the calendar year [a sufficient number of copies of complete, corrected enrollment lists certified by them as correct, provided a supplementary or updated list shall be printed within one week after a session held on the fourteenth day before a primary] a complete enrollment list and shall make such list available to the public upon request.

(b) If a political party authorizes unaffiliated electors to vote in a primary, under section 9-431, and a notice of primary is published, the registrars shall cause a list of all unaffiliated electors eligible to vote in the primary to be printed [within one week after the session held on the fourteenth day] before such primary. If unaffiliated electors are authorized to vote in only one party's primary and are authorized to vote for all offices to be contested at the primary, the registrars may print the list of unaffiliated electors in combination with such party's enrollment list, indicating party affiliation where applicable.

(c) If the legislative body of the municipality votes to eliminate separate enrollment lists under section 9-54, as amended by this act, and:

(1) Notices of primaries are published for two parties to be held on the same day, the registrars of voters shall print complete separate enrollment lists [within one week after the enrollment session held on the fourteenth day before the primary] and, if unaffiliated electors are authorized to vote in the primary, the registrars of voters shall print a separate list of unaffiliated electors as provided in subsection (b) of this section; or

**Substitute Senate Bill No. 939**

(2) A notice of primary is published for one party in which unaffiliated electors are authorized to vote for some but not all offices to be contested at the primary, the registrars of voters shall print a complete separate enrollment list and a separate list of unaffiliated electors as provided in subsection (b) of this section; or

(3) A notice of primary is published for only one party and (A) unaffiliated electors are not authorized to vote, or (B) unaffiliated electors are authorized to vote for all offices to be contested at the primary, a registry list may be used as a checklist at the primary and the registrars of voters shall [, within one week after the session held on the fourteenth day before such primary,] print a supplementary or updated list indicating those electors who have become eligible to vote in the primary since the printing of the registry list.

(d) Whenever a list is required by this section to be printed, [within one week after the session held on the fourteenth day before the primary,] a supplement to such list shall be compiled by the registrars of voters of persons who after such date and prior to twelve o'clock noon of the last business day before the primary become eligible to vote in such primary. The registrars of voters may combine such separate compilation with the foregoing printed list [either by inserting the names in writing or] by reprinting the list or incorporating the [supplementary or updated list into a single printed] updated list.

(e) The registrars of voters shall [file one copy of each such list with the town clerk which copy shall be] make available for public use such list in the office of the [town clerk] registrars of voters until the printing of the next completed [, corrected] enrollment list; and they shall deliver to the chairman of the town committee of each political party [five] copies of each such list for each voting district in the town. Whenever the registrars of voters are not in their office, such list shall be available at another municipal office. Upon request, the registrars of voters shall give one complete set of such lists to each candidate for

**Substitute Senate Bill No. 939**

nomination for any office or for election as a town committee member. [They] The registrars of voters shall deliver a sufficient number of copies thereof to the moderator of each primary. [With each printing the registrars shall retain at least six copies of each such list and such copies shall be available for public use in the office of the registrars until the printing of the next complete, corrected enrollment list.] No petition brought under the provisions of section 9-63 shall operate to delay the completion and printing of such lists. If the petition of any elector is granted after any such list has been completed, the [registrar or assistant registrar] registrars of voters or assistant registrars of voters, as the case may be, shall issue to such elector a certificate showing that the elector is entitled to the privileges accompanying enrollment in the political party named in the elector's petition.

Sec. 10. Subsections (e) to (h), inclusive, of section 9-140c of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) Ballots received not later than eleven o'clock a.m. on such last day before the election, primary or referendum shall be delivered by the clerk to the registrars not earlier than ten o'clock a.m. and not later than twelve o'clock noon on the day of the election or primary and at twelve o'clock noon on the day of a referendum. [for counting, provided that the registrars may at their discretion direct the clerk to retain for later delivery as many of such ballots as they deem necessary to preserve the secrecy of ballots to be counted at later times as provided in this section.] If central counting has been designated pursuant to section 9-147a, the clerk shall also deliver to the registrars at this time the duplicate checklist provided for in subsection (b) of this section, for the use of the absentee ballot counters pursuant to subsection (i) of this section.

(f) Absentee ballots timely received by the clerk after eleven o'clock a.m. of such last day before an election, primary or referendum shall be

**Substitute Senate Bill No. 939**

sorted into voting districts by the clerk and retained by him separately until delivered [at the times provided in this section] to the registrars of voters for checking. [and counting.]

(g) Any or all of such ballots received after eleven o'clock a.m. of such last day before an election, primary or referendum and before six o'clock p.m. on the day of the election, primary or referendum shall, upon request of the registrars, be delivered to the registrars by the municipal clerk at six o'clock p.m. on the day of the election, primary or referendum for checking. [and counting.]

(h) Absentee ballots received after six o'clock p.m. and any ballots received prior to six which were not delivered earlier shall be delivered to the registrars at the close of the polls for checking. [and counting.] Although absentee ballots shall be checked by the registrars of voters at various times throughout the election, primary or referendum day, absentee ballots may be counted at one single time during such day.

Sec. 11. Section 9-150a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) [Not earlier than ten o'clock a.m. and not later than twelve o'clock noon on the day of the election or primary and not earlier than twelve o'clock noon on the day of a referendum the] The absentee ballot counters shall proceed to the polling places for which they have been assigned ballots or to the central counting location at the times designated by the registrars of voters.

(b) At the time each group of ballots is delivered to them pursuant to section 9-140c, as amended by this act, the counters shall perform any checking of such ballots required by subsection (i) of said section and shall then proceed as hereinafter provided.

(c) Except with respect to ballots marked "Rejected" pursuant to

***Substitute Senate Bill No. 939***

[said] section 9-140c, as amended by this act, or other applicable law, the counters shall remove the inner envelopes from the outer envelopes, shall note the total number of absentee ballots received and shall report such total to the moderator. They shall similarly note and separately so report the total numbers of presidential ballots and overseas ballots received pursuant to sections 9-158a to 9-158m, inclusive.

(d) (1) If the statement on the inner envelope has not been signed as required by section 9-140a, such inner envelope shall not be opened or the ballot removed therefrom, and such inner envelope shall be replaced in the opened outer envelope which shall be marked "Rejected" and the reason therefor endorsed thereon by the counters. (2) If such statement is signed but the individual completing the ballot is an individual described in subsection (a) of section 9-23r and has not met the requirements of subsection (e) of section 9-23r, the counters shall replace the ballot in the opened inner envelope, replace the inner envelope in the opened outer envelope and mark "Rejected as an Absentee Ballot" and endorse the reason for such rejection on the outer envelope, and the ballot shall be treated as a provisional ballot for federal offices only, pursuant to sections 9-232i to 9-232o, inclusive.

(e) The counters shall then remove the absentee ballots from the remaining inner envelopes.

(f) Before the ballots are counted, all opened outer and inner envelopes from which such ballots have been removed, and all outer envelopes marked "Rejected" as required by law, shall be placed and sealed by the counters, separately by voting district, in depository envelopes prescribed by the Secretary of the State and provided by the municipal clerk. The counters shall seal such depository envelopes by wrapping them lengthwise and sideways with nonreusable tape, endorse on each such envelope their names, the voting district and the time of the count, and deliver such envelopes to the moderator.

**Substitute Senate Bill No. 939**

(g) The counters shall then count such ballots as provided in this section. The moderator shall supervise the counting.

(h) The Secretary of the State shall provide a procedure manual for counting absentee ballots. The manual shall include a description of the steps to be followed in receiving, handling, counting and preserving absentee ballots. Facsimile ballots shall be printed in the manual, illustrating potential variations in ballot markings along with the correct interpretation to be given in each situation illustrated.

(i) (1) Except as otherwise provided in this section the provisions of section 9-265, as amended by this act, shall apply to write-in votes on absentee ballots at elections.

(2) Votes cast by absentee ballot at a primary may be counted only for candidates whose names appear on the ballot [label] on primary day, and no write-in vote shall be counted except as provided in subdivision (3) of this subsection.

(3) If a write-in vote on an absentee ballot is cast for a candidate for any office whose name appears on the ballot [label] for that office on election or primary day, such candidate's name shall be deemed to have been checked on such ballot and, except as otherwise provided in subsection (j) of this section, one vote shall be counted and recorded for such candidate for such office.

(4) Except as otherwise provided in [said] section 9-265, as amended by this act, if the name of a registered write-in candidate for an office is written in for such office on an absentee ballot it shall be deemed validly written in for purposes of subsection (j) of this section.

(j) In the counting of absentee ballots the intent of the voter shall govern, provided the following conclusive presumptions, where applicable, shall prevail in determining such intent:

**Substitute Senate Bill No. 939**

(1) If the names of more candidates for an office than the voter is entitled to vote for are checked or validly written in, then the vote cast for that office shall be deemed an invalid overvote.

(2) If the name of a candidate who has vacated his candidacy is checked such vote shall not be counted.

(3) On an absentee ballot on which candidates' names are printed, a vote shall be deemed cast only for each candidate whose name is individually checked or validly written in, except as otherwise provided in this subsection. If a party designation is circled, checked, underscored or similarly marked in any manner, or written in, no vote shall be deemed cast or cancelled for any candidate by virtue of such marking or writing.

(k) If the intent of an absentee voter is difficult to ascertain due to uncertain, conflicting or incorrect ballot markings which are not clearly addressed in this section or in the procedure manual for counting absentee ballots provided by the Secretary of the State, the absentee ballot counters shall submit the ballot and their question to the moderator. They shall then count the ballot in accordance with the moderator's decision as to the voter's intent, if such intent is ascertainable. A ballot or part of a ballot on which the intent is determined by the moderator to be not ascertainable, shall not be counted. The moderator shall endorse on the ballot the question and his decision.

(l) No absentee ballot shall be rejected as a marked ballot unless, in the opinion of the moderator, it was marked for the purpose of providing a means of identifying the voter who cast it.

(m) After the absentee ballots have been so counted they shall be placed by the counters, separately by voting district, in depository envelopes prescribed by the Secretary of the State and provided by the

**Substitute Senate Bill No. 939**

municipal clerk. Any notes, worksheets, or other written materials used by the counters in counting such ballots shall be endorsed by them with their names, the date and the time of the count and shall also be placed in such depository envelopes together with the ballots, and with the separate record of the number of votes cast on such ballots for each candidate as required by section 9-150b. Such depository envelopes shall then be sealed, endorsed and delivered to the moderator by the counters in the same manner as provided in subsection (f) of this section.

Sec. 12. Subsection (a) of section 9-172b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In each municipality or political subdivision in which a special election or referendum is to be held, the registrars of voters shall prepare [a supplementary or] an updated list of the names and addresses of those persons who acquired voting privileges after the completion of the revised registry list and prior to the day of such special election or referendum. In each such municipality or political subdivision, not later than the day before such special election or referendum, such registrars of voters shall cause to be completed and printed [and deposited in the town clerk's office] such list arranged as provided in section 9-35 and certified by them to be correct, and shall retain a sufficient number of copies to be used by them at such election or referendum for the purpose of checking the names of those who vote, provided the names of any persons who acquired such voting privileges within thirty days before such special election or referendum may be inserted on such printed list in writing.

Sec. 13. Section 9-247a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No candidate, as defined in section 9-601, [or] member of the

**Substitute Senate Bill No. 939**

immediate family, as defined in section 1-79, of a candidate or business entity that a candidate or member of the candidate's immediate family is an employee, director, officer, owner, limited or general partner or member of in any capacity shall transport, prepare, repair or maintain a voting [machine] tabulator. No provision of this section shall prohibit [(1)] a member of the immediate family of a candidate from serving as a moderator, [or (2) a candidate for the office of registrar of voters or a member of the immediate family of such a candidate from serving as a voting machine mechanic.]

Sec. 14. Section 9-250 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Ballots shall be printed in [black ink, in] plain clear type [,] and on [clear white] material of such size as will fit the tabulator, and shall be furnished by the registrar of voters. The size and style of the type used to print the name of a political party on a ballot shall be identical with the size and style of the type used to print the names of all other political parties appearing on such ballot. The name of each major party candidate for a municipal office, as defined in section 9-372, except for the municipal offices of state senator and state representative, shall appear on the ballot as it appears on the registry list of the candidate's town of voting residence, except as provided in section 9-42a, as amended by this act. The name of each major party candidate for a state or district office, as defined in section 9-372, or for the municipal office of state senator or state representative shall appear on the ballot as it appears on the certificate or statement of consent filed under section 9-388, subsection (b) of section 9-391, or section 9-400, as amended by this act, or 9-409. The name of each minor party candidate shall appear on the ballot as it appears on the registry list in accordance with the provisions of section 9-452, as amended by this act. The name of each nominating petition candidate shall appear on the ballot as it is verified by the town clerk on the application filed

**Substitute Senate Bill No. 939**

under section 9-453b. The size and style of the type used to print the name of a candidate on a ballot shall be identical with the size and style of the type used to print the names of all other candidates appearing on such ballot. Such ballot shall contain the names of the offices and the names of the candidates arranged thereon. The names of the political parties and party designations shall be arranged on the ballots, either in columns or horizontal rows as set forth in section 9-249a, immediately adjacent to the column or row occupied by the candidate or candidates of such political party or organization. [When two or more candidates are to be elected to the same office, the] The ballot shall be printed in such manner as to indicate [that] how many candidates the elector may vote for [any two or such other number as he is entitled to vote for] each office, provided in the case of a town adopting the provisions of section 9-204a, such ballot shall indicate the maximum number of candidates who may be elected to such office from any party. If two or more candidates are to be elected to the same office for different terms, the term for which each is nominated shall be printed on the official ballot as a part of the title of the office. If, at any election, one candidate is to be elected for a full term and another to fill a vacancy, the official ballot containing the names of the candidates in the foregoing order shall, as a part of the title of the office, designate the term which such candidates are severally nominated to fill. No column, under the name of any political party or independent organization, shall be printed on any official ballot, which contains more candidates for any office than the number for which an elector may vote for that office.

Sec. 15. Section 9-244 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Such registrars of voters shall give written notice to the chairpersons of the town committees of the political parties of the day and place a [mechanic or mechanics] registrar or registrars will begin

**Substitute Senate Bill No. 939**

the preparation, test voting and sealing of the [machines] tabulators for the election, including any additional [machines] tabulators required under section 9-238. Such notice shall be given at least one day before the work on the preparation of such [machines] tabulators begins.

(b) Each such chairperson and any candidate for an office appearing on the ballot may be present, or may designate a watcher who may be present, during the preparation of such [machines] tabulators, but such chairpersons, candidates and watchers shall not interfere with, or assist in, the preparation of the [machines] tabulators.

(c) After the [mechanic or mechanics] registrar or registrars have prepared the [machines, (1)] tabulators, the registrars of voters, or their designees, [who shall not include any such mechanics, and (2) all mechanics who prepared such machines shall be present together when the machines are tested and sealed] shall test and seal such tabulators for use in the election. The chairpersons of the town committees of the political parties and any candidate for an office appearing on the ballot may also be present, or may designate a watcher who may be present, during the testing and sealing, but such chairpersons, candidates and watchers shall not interfere with the testing or sealing. All such persons who are present for the testing and sealing of the [machines, except the mechanics,] tabulators shall file a written report, as provided in section 9-245, certifying [(A)] (1) to the numbers of the [machines, (B)] tabulators, (2) as to whether all the candidate and question counters are set at zero (000), [(C)] (3) as to the numbers registered on the protective counters, if provided, and the numbers on the seals, [(D)] (4) that the ballot [labels are] is properly [placed on the machines] prepared, and [(E)] (5) that the [machines] tabulators have been test-voted and found to be working properly.

Sec. 16. Section 9-254 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

**Substitute Senate Bill No. 939**

Each municipal clerk shall, not later than the one hundred eightieth day prior to the day of any regular municipal election, file with the Secretary of the State, on a form approved by said secretary, a list of the offices to be filled at such election and the terms thereof and the number of candidates for which each elector may vote. Said secretary shall, within seventy days from the date of receipt of such list, return a copy of such list to the municipal clerk. Each municipal clerk shall, [within] not later than ten days after the receipt of the returned list, mail a copy thereof to the chairman of the town committee of each major political party within the municipality.

Sec. 17. Section 9-258 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For municipalities with more than one voting district, the election officials of each polling place [, including voting tabulator technicians,] shall be electors of the state and shall consist of one moderator, at least one, but not more than two official checkers, two assistant registrars of voters of opposite political parties, each of whom shall be residents of the town, not more than two challengers if the registrars of voters have appointed challengers pursuant to section 9-232, and at least one and not more than two ballot clerks and at least one but not more than two voting tabulator tenders for each voting tabulator in use at the polling place. A known candidate for any office shall not serve as an election official on election day or serve at the polls in any capacity, except that a municipal clerk or a registrar of voters, who is a candidate for the same office, may perform his or her official duties. If, in the opinion of the registrar of voters, the public convenience of the electors in any voting district so requires, provision shall be made for an additional line or lines of electors at the polling place and, if more than one line of electors is established, at least one but not more than two additional official checkers and at least one but not more than two ballot clerks for each line of electors shall be

**Substitute Senate Bill No. 939**

appointed and, if more than one tabulator is used in a polling place, at least one and not more than two additional voting tabulator tenders shall be appointed for each additional machine so used. Head moderators, central counting moderators [,] and absentee ballot counters [and voting tabulator technicians] appointed pursuant to law shall also be deemed election officials.

(b) For municipalities with one voting district, the election officials of such polling place [, except voting tabulator technicians,] shall be electors of the [town] state and shall consist of [: One] one moderator, at least one, but not more than two official checkers, not more than two challengers if the registrars of voters have appointed challengers pursuant to section 9-232, at least one and not more than two voting tabulator tenders for each voting tabulator in use at the polling place and at least one but not more than two ballot clerks. Additionally, such election officials may consist of two registrars of voters of opposite political parties, or two assistant registrars of voters of opposite political parties, as the case may be, subject to the requirements of sections 9-259 and 9-439, [who shall: (1) Be available by telephone and notify all registrars of voters' offices in the state of such telephone number, (2) be connected to the state-wide computerized registry list, and (3) have all voter card files in the polling place for reference] provided if the registrars of voters are present in the polling place, they shall appoint at least one designee to be present in their office. A known candidate for any office shall not serve as an election official on election day or serve at the polls in any capacity, except that a municipal clerk or a registrar of voters, who is a candidate for the same office, may perform his or her official duties. If, in the opinion of the registrar of voters, the public convenience of the electors in any voting district so requires, provision shall be made for an additional line or lines of electors at the polling place and, if more than one line of electors is established, at least one, but not more than two, additional official checkers for each line of electors shall be appointed and, if

**Substitute Senate Bill No. 939**

more than one tabulator is used in a polling place, at least one and not more than two additional voting tabulator tenders shall be appointed for each additional tabulator so used. Head moderators, central counting moderators [,] and absentee ballot counters [and voting tabulator technicians] appointed pursuant to law shall be deemed to be election officials.

(c) No election official shall perform services for any party or candidate on election day nor appear at any political party headquarters prior to eight o'clock p.m. on election day.

Sec. 18. Section 9-260 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A [metal] demonstrator [machine or spare voting machine] device shall be provided inside the polling place for the instruction of electors. [Any such spare voting machine shall not be used for voting and shall be provided in addition to any additional voting machines required pursuant to section 9-238.] Any such demonstrator [machine shall represent at least five office columns of the two upper rows on the voting machine. Such demonstrator or spare voting machine shall contain, in each space provided for the name of a party, the designation "name of party", in each space provided for the name of a candidate, the designation "name of candidate", in each space provided for the name of an office, the designation, "office", and in each space provided for a question, the designation, "Question-Statement of Question-Yes-No". A spare voting machine provided for the purposes of this section shall contain, in the upper left-hand corner, directly opposite the write-in slides, the designation "write-in slides". The party levers on such demonstrator or spare voting machine shall be covered. At a primary, each space provided for a question shall be left blank] device shall instruct electors on the proper method to cast their vote, including the proper method to cast a write-in vote using the voting equipment located in each polling place. Upon request by

**Substitute Senate Bill No. 939**

any elector who desires instruction after he has entered the polling place and prior to casting his vote, two election officials of different political parties jointly shall instruct such elector on the demonstrator [or spare voting machine by causing such elector himself to operate the parts of such demonstrator or spare voting machine] device.

Sec. 19. Subsection (b) of section 9-265 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Except as otherwise provided in this section, in the case of an office for which an elector may vote for only one candidate, a write-in vote cast for a person nominated for that office by a major or minor party or by nominating petition shall be counted and recorded. In the case of an office for which an elector may vote for more than one candidate, a write-in vote cast for a person nominated for that office by a major or minor party or by nominating petition shall [not] be counted [or] and recorded if it can be determined which candidate such vote should be attributed to.

Sec. 20. Section 9-272 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

If, owing to the number of candidates to be voted upon, [or] owing to inability to obtain a sufficient number of voting tabulators [,] or, if it is found impracticable to use voting tabulators at any election, primary or referenda to be held in any municipality, or in one or more of the voting districts therein, the registrars of voters may discontinue the use of such tabulators for such election in any of the voting districts therein, and shall thereupon cause ballots to be procured and used at such election, [as provided by this part,] primary or referenda in each of the voting districts wherein the use of voting tabulators has been so discontinued. The procedures for securing and counting the paper ballots described in this section shall be in compliance as nearly as

**Substitute Senate Bill No. 939**

possible, in the manner prescribed by the Secretary of the State, with the procedures for securing and counting absentee ballots.

Sec. 21. Subsections (a) to (c), inclusive, of section 9-311 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) If, within three days after an election, it appears to the moderator that there is a discrepancy in the returns of any voting district, such moderator shall forthwith within said period summon, by written notice delivered personally, the recanvass officials, consisting of [the mechanic or mechanics,] at least two checkers of different political parties and at least two absentee ballot counters of different political parties who served at such election, and the registrars of voters [and the clerk] of the municipality in which the election was held and such other officials as may be required to conduct such recanvass. Such written notice shall require [such] the clerk or registrars of voters, as the case may be, to bring with [him] them the depository envelopes required by section 9-150a, as amended by this act, the package of write-in ballots provided for in section 9-310, the absentee ballot applications, the list of absentee ballot applications, the registry list and the moderators' returns and shall require such recanvass officials to meet at a specified time not later than the fifth business day after such election to recanvass the returns of a voting [machine] tabulator or voting [machines] tabulators or absentee ballots or write-in ballots used in such district in such election. If any of such recanvass officials are unavailable at the time of the recanvass, the registrar of voters of the same political party as that of the recanvass official unable to attend shall designate another elector having previous training and experience in the conduct of elections to take his place. Before such recanvass is made, such moderator shall give notice, in writing, to the chairman of the town committee of each political party which nominated candidates for the election, and, in the case of a state

***Substitute Senate Bill No. 939***

election, not later than twenty-four hours after a determination is made regarding the need for a canvass to the Secretary of the State, of the time and place where such canvass is to be made; and each such chairman may send [two] representatives to be present at such canvass. Such representatives may observe, but no one other than a canvass official may take part in the canvass. If any irregularity in the canvass procedure is noted by such a representative, he shall be permitted to present evidence of such irregularity in any contest relating to the election.

(b) The moderator shall determine the place or places where the canvass shall be conducted and, if such canvass is held before the [machines] tabulators are boxed and collected in the manner required by section 9-266, the moderator may either require that such canvass of such [machines] tabulators be conducted in each place where the [machines] tabulators are located, or he may require that they be removed to one central place, where such canvass shall be conducted. All canvassing procedures shall be open to public observation. Such canvass officials shall, in the presence of such moderator and [clerk] registrars of voters, make a record of the number on the seal and the number on the protective counter, if one is provided, on each voting machine specified by such moderator. Such [clerk] registrars of voters in the presence of such moderator shall turn over the keys of each such [machine] tabulator to such canvass officials, and such canvass officials, in the presence of such [clerk] registrars of voters and moderator, shall immediately proceed to [open the counter compartment of each such machine and, without unlocking such machine against voting,] canvass the vote cast thereon, and shall then open the package of absentee ballots and canvass the vote cast thereon. In the course of the canvass of the absentee ballot vote the canvass officials shall check all outer envelopes for absentee ballots against the inner envelopes for such ballots and against the registry list to verify postmarks, addresses and

**Substitute Senate Bill No. 939**

registry list markings and also to determine whether the number of envelopes from which absentee ballots have been removed is the same as the number of persons checked as having voted by absentee ballot. The write-in ballots shall also be recanvassed at this time. All of the recanvass officials shall use the same forms for tallies and returns as were used at the original canvass and the absentee ballot counters shall also sign the tallies.

(c) The votes shall be announced and recorded in the manner prescribed in section 9-309 on return forms provided by the [municipal clerk] registrars of voters and appended thereto shall be a statement signed by the moderator indicating the time and place of the recanvass and the names, addresses, titles and party affiliations of the recanvass officials. The write-in ballots shall be replaced in a properly secured sealed package. Upon the completion of such recanvass, [such machine] any tabulator used in such recanvass shall be locked and sealed, the keys thereof shall immediately be returned to such [clerk] registrars of voters and such [machine] tabulator shall remain so locked until the expiration of fourteen days after such election or for such longer period as is ordered by a court of competent jurisdiction. The absentee ballots shall be replaced in their wrappers and be resealed by the moderator in the presence of the recanvass officials. Upon the completion of such recanvass, such moderator and at least two of the recanvass officials of different political parties shall forthwith prepare and sign such return forms which shall contain a written statement giving the result of such recanvass for each [machine] tabulator and each package of absentee ballots whose returns were so recanvassed, setting forth whether or not the original canvass was correctly made and stating whether or not the discrepancy still remains unaccounted for. Such return forms containing such statement shall forthwith be filed by the moderator in the office of such clerk. If such recanvass reveals that the original canvass of returns was not correctly made, such return forms

**Substitute Senate Bill No. 939**

containing such statement so filed with the clerk shall constitute a corrected return. In the case of a state election, a recanvass return shall be made in duplicate on a form prescribed and provided by the Secretary of the State, and the moderator shall file one copy with the Secretary of the State and one copy with the town clerk not later than ten days after the election. Such recanvass return shall be substituted for the original return and shall have the same force and effect as an original return.

Sec. 22. Section 9-435 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Except as provided in sections 9-418 and 9-419, if in any municipality, within the time specified in section 9-405, a candidacy for nomination by a political party to any municipal office or for election as a town committee member is filed with the registrar, in conformity with the provisions of sections 9-405 to 9-412, inclusive, and section 9-414, by or on behalf of any person other than party-endorsed candidates, the registrar shall forthwith after the deadline for certification of party-endorsed candidates notify the clerk of such municipality that a primary is to be held by such party for the nomination of such party to such office or for the election by such party of town committee members, as the case may be. Such notice shall include a list of all the proposed candidates, those endorsed as well as those filing candidacies, together with their addresses and the titles of the offices or positions for which they are candidates. In the case of a primary for justices of the peace, such notice shall also contain the complete ballot [label] designation of each slate pursuant to subsection (h) of section 9-437. The clerk of the municipality shall thereupon cause such notice to be published forthwith in a newspaper having a general circulation in such municipality, together with a statement of the date upon which the primary is to be held, the hours during which the polls shall be open and the location of the polls. [

**Substitute Senate Bill No. 939**

and shall send a copy of such notice to the Secretary of the State and record the same.] The clerk of the municipality shall also file such notice with the Secretary of the State not later than three business days after receipt of such notice from the registrar of voters. The clerk shall forthwith publish any change in the proposed candidates, listing such changes.

Sec. 23. Subsection (b) of section 9-453o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Except as otherwise provided in this subsection, the Secretary of the State shall approve every nominating petition which contains sufficient signatures counted and certified on approved pages by the town clerks. In the case of a candidate who petitions under a reserved party designation the secretary shall approve the petition only if it meets the signature requirement and if a statement endorsing such candidate is filed with the secretary by the party designation committee not later than four o'clock p.m. on the [fifty-fifth] sixty-second day before the election. In the case of a candidate who petitions under a party designation which is the same as the name of a minor party the secretary shall approve the petition only if it meets the signature requirement and if a statement endorsing such candidate is filed in the office of the secretary by the chairman or secretary of such minor party not later than four o'clock p.m. on the [fifty-fifth] sixty-second day before the election. No candidate shall be qualified to appear on any ballot by nominating petition unless the candidate's petition is approved by the secretary pursuant to this subsection.

Sec. 24. Section 9-461 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Not later than the seventh day following the date set for the primary for nomination at any election at which a municipal office is to be

**Substitute Senate Bill No. 939**

filled, the clerk of the municipality in which such election is to be held shall file with the Secretary of the State a list of the candidates of each party for the municipal offices to be filled at such election nominated in accordance with the provisions of this chapter. Such list shall be on a form provided by the Secretary of the State and shall indicate the name and address of each candidate and the office and term for which each candidate has been nominated, and, except for major party candidates for the municipal offices of state senator or state representative, shall contain the certification of such municipal clerk that he has compared the name of each such candidate with the candidate's name as [it appears on the registry list] the candidate authorizes the candidate's name to appear on the ballot, pursuant to the certificate filed in accordance with subsection (c) of section 9-391 or the statement of consent filed in accordance with section 9-409, as applicable, and has verified and corrected the same. In the case of major party candidates for the municipal offices of state senator or state representative, such list shall contain the certification of the [town] municipal clerk that he has compared the name of each such candidate with the candidate's name as the candidate has authorized, on the certificate or statement of consent filed under subsection [(b)] (c) of section 9-391 or section 9-409, his name to appear, and has verified and corrected the same. Such list shall include a statement of the total number of candidates for which each elector may vote for each office and term at such election as set forth in the list or amendment or supplement thereto filed with the Secretary of the State under section 9-254, as amended by this act. After the filing of such list of candidates, the clerk of the municipality shall forthwith notify the Secretary of the State of any errors in such list or of any changes in such list provided for in section 9-329a or 9-460.

Sec. 25. Section 9-50b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, "state-wide centralized voter registration

**Substitute Senate Bill No. 939**

system" means a computerized system designed and maintained by the Secretary of the State which includes: (1) Voter registration information prescribed by the Secretary, (2) information contained in applications for admission as electors described in section 9-20, (3) information needed to compile registry lists and enrollment lists under sections 9-35 and 9-54, as amended by this act, (4) information required by section 9-50a, as amended by this act, and (5) other information for use in complying with the provisions of this title.

(b) Not later than July 1, 2003, each registrar of voters shall transmit to the office of the Secretary of the State all elector information required by the office to complete the state-wide centralized voter registration system. Each registrar shall transmit such information in a format prescribed by the Secretary. Not later than September 1, 2003, each registrar of voters shall participate in the state-wide centralized voter registration system in the manner prescribed by the Secretary.

[(c) The provisions of subsection (b) of this section shall not prohibit the registrars of voters of any municipality from maintaining a registry list for such municipality that is separate from the state-wide centralized voter registration system, provided (1) such separate registry list includes the same information as the registry list for such municipality in the state-wide centralized voter registration system, and (2) such registrars comply with the provisions of subsection (b) of this section and the Help America Vote Act, P.L. 107-252, as amended from time to time.]

[(d) After] (c) Not later than sixty days after each election or primary, the registrars of voters shall [promptly] update the state-wide centralized voter registration system and indicate whether the eligible voters on the official registry list for such election or primary voted and, if so, if they voted in person or by absentee ballot.

Sec. 26. (NEW) (*Effective from passage*) The registrars of voters shall

**Substitute Senate Bill No. 939**

either ensure that each ballot clerk offer every elector a privacy sleeve into which the ballot can be inserted and fully shielded from view or, in the alternative, place such privacy sleeve in every voting booth for the elector's use. No elector shall be required to accept a privacy sleeve.

Sec. 27. Section 9-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each registrar of voters or, in the absence of a registrar, [his] the deputy registrar of voters, and each [town] municipal clerk or, in the absence of a [town] municipal clerk, one of [his] the assistant [town] municipal clerks shall be compensated by the municipality which [he] the clerk represents, as [herein] provided for in this section, for attending two conferences a year for town clerks and registrars of voters which may be called by the Secretary of the State for the purpose of discussing the election laws, procedures or matters related thereto. Each such official shall be compensated by [his] the municipality at the rate of thirty-five dollars per day for attending each such conference, plus mileage to and from such conference at a rate per mile determined by the municipality, but not less than twenty cents per mile, computed from the office of such official or, if he has no office, from his home to the place where such conference is being held. [In towns divided into two voting districts which elect registrars of voters for each voting district, only two registrars of opposite political parties need be so compensated for each such conference and, if the registrars are unable to agree as to the two registrars to be so compensated, such determination shall be made at least three days prior to such conference by the chief executive officer of the municipality.]

Sec. 28. Subdivision (1) of subsection (a) of section 9-7b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

**Substitute Senate Bill No. 939**

(1) To make investigations on its own initiative or with respect to statements filed with the commission by the Secretary of the State, [or any town clerk [,] or any registrar of voters or upon written complaint under oath by any individual, with respect to alleged violations of any provision of the general statutes relating to any election or referendum, any primary held pursuant to section 9-423, 9-425 or 9-464 or any primary held pursuant to a special act, and to hold hearings when the commission deems necessary to investigate violations of any provisions of the general statutes relating to any such election, primary or referendum, and for the purpose of such hearings the commission may administer oaths, examine witnesses and receive oral and documentary evidence, and shall have the power to subpoena witnesses under procedural rules the commission shall adopt, to compel their attendance and to require the production for examination of any books and papers which the commission deems relevant to any matter under investigation or in question. In connection with its investigation of any alleged violation of any provision of chapter 145, or of any provision of section 9-359 or section 9-359a, the commission shall also have the power to subpoena any municipal clerk and to require the production for examination of any absentee ballot, inner and outer envelope from which any such ballot has been removed, depository envelope containing any such ballot or inner or outer envelope as provided in sections 9-150a, as amended by this act, and 9-150b and any other record, form or document as provided in section 9-150b, in connection with the election, primary or referendum to which the investigation relates. In case of a refusal to comply with any subpoena issued pursuant to this subsection or to testify with respect to any matter upon which that person may be lawfully interrogated, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to comply with such subpoena and to testify; failure to obey any such order of the court may be punished by the court as a contempt thereof. In any matter under investigation which concerns the operation or inspection

**Substitute Senate Bill No. 939**

of or outcome recorded on any voting [machine] tabulator, the commission may issue an order to the [municipal clerk] registrars of voters to impound such [machine] tabulator until the investigation is completed.

Sec. 29. Section 9-21a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Secretary of the State, at such times as [he] the secretary determines, may cause a search to be made of computerized voter registration records to identify electors who may be registered in more than one town. The secretary may compile, from such search, a list of possible duplicate registrations in any town or towns and transmit such list to the registrars of voters of the appropriate town or towns.

(b) Upon receipt of such list from the secretary, the registrars may make such additional investigation as they deem necessary to determine if any elector in their town whose name appears on such list [has subsequently] was previously registered in another town. The registrars of voters shall send to each elector on the registry list in their town, who the registrars of voters determine to be the same person who [subsequently] was previously registered in another town, a notice of duplicate registration in a form prescribed by the Secretary of the State stating that (1) based on a computer search of voter registration records it appears that the elector [has] may have been registered to vote in another town [after having registered] before registering in the registrars' town, (2) as the result of such [subsequent] previous registration, the elector is no longer entitled to remain on the registry list in the [registrars'] previous town, and (3) unless the elector contacts the registrars of voters within thirty days to confirm that [he] the elector is still entitled to be on the registry list in the [registrars'] previous town, [his] the elector's name shall be removed from the list. The notice of duplicate registration shall include a form on which the elector may confirm that [he] the elector is entitled to be on an active

**Substitute Senate Bill No. 939**

registry list because [he] the elector is a bona fide resident of the registrars' town and either is not the person whose name appears on the registry list of another town, or has registered in the registrars' town after registering in any other town.

(c) When an elector whose name appears on the inactive list files the confirmation provided for in this section, [his] the elector's name shall be restored to the active list. No elector shall be removed from the registry list pursuant to this section unless both registrars of voters agree that such elector has subsequently registered to vote in another town.

Sec. 30. Section 9-53 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The registrars of voters in each municipality in which an enrollment session is to be held shall give notice of such session, and of the purpose, day, hours and place thereof, by publication in a newspaper published in or having a circulation in such municipality, not more than fifteen nor less than five days before such session. Nothing [herein] in this section shall require that such publication be in the form of a legal advertisement. [In each municipality divided into two voting districts which elects registrars of voters for each voting district, any session for enrollment in such municipality shall be held in each such district thereof by the registrars of such district, and the notice hereinbefore required shall specify the place in each such district in which such session is to be held.] In each municipality divided into voting districts, [which elects registrars of voters for the entire municipality,] any session for enrollment in such municipality may, if the registrars of voters so decide, be held in each such district by assistant registrars of voters appointed under section 9-192, provided the registrars of voters in the notice [hereinbefore required] shall specify the place in each such district in which such session is to be held. When such a session is so held in each such district by such

**Substitute Senate Bill No. 939**

assistant registrars of voters, within forty-eight hours after the close of each of such sessions, each of such assistant registrars of voters shall deliver to the registrar of whom he is the appointee a true and attested list or lists, as made by such assistant registrars of voters at such session, showing all enrollments and corrections, if any, by them made, together with a list of all applications rejected under the provisions of sections 9-60 and 9-63.

Sec. 31. Section 9-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The registrars of voters shall compile separate lists of all qualified electors making application for enrollment according to the declared political preference of such electors. Before each primary at which unaffiliated electors are authorized to vote, under section 9-431, the registrars of voters shall also compile a list of unaffiliated electors which shall be a component of the official checklist to be used at such primary. In those towns having cities or boroughs within, and not coterminous with, their limits, the registrars of voters shall also prepare such lists for use in such cities or boroughs; and when towns, cities or boroughs are divided into wards or voting districts, the registrars shall also prepare such lists for such wards or voting districts. Any town, city, consolidated town and city, or consolidated town and borough may, by vote of its legislative body, require the registrars of voters to designate the party affiliation, if any, of each elector on the registry list with the name of such elector, and, if it is so voted, may provide for the continuance or discontinuance of separate enrollment lists, except as provided in section 9-55, as amended by this act. Whenever an elector's name has been removed from the registry list or transferred upon the registry list because of a change of address within the municipality, pursuant to section 9-35, such name shall also, at the same time, be removed from or transferred upon the enrollment list or upon the list of unaffiliated electors, if applicable. [In

**Substitute Senate Bill No. 939**

municipalities divided into two voting districts or wards where registrars are elected for each voting district or where assistant registrars are appointed for each voting district under section 9-192, when a transfer of enrollment is made between separate lists of the same political party because of the removal of an elector from one voting district or ward to another voting district or ward in the same municipality, the registrars or assistant registrars from the voting district or ward where the elector formerly resided shall remove the elector's name from the list and shall report the removal to the registrars or assistant registrars of the same political party in the voting district or ward to which such elector has removed, whereupon such registrars or assistant registrars shall add such name to the list of the same political party in such district or ward unless such elector has made application for erasure or transfer of enrollment to the list of another party.] In all [other] municipalities, when a transfer of enrollment between separate lists of the same political party is made because of the removal of an elector from one voting district or ward to another voting district or ward in the same municipality, the registrars of voters shall transfer the name of such elector from the list on which it appears to the enrollment list of the same political party in the voting district or ward to which such elector has removed unless such elector has made application for erasure or transfer of enrollment to the list of another party. All such enrollment lists and lists of unaffiliated electors shall be arranged in the manner provided by section 9-35 for the arrangement of registry lists in such town except as modified by sections 9-51 to 9-65, inclusive, as amended by this act.

Sec. 32. Section 9-65 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) After the last session of the registrars of voters under section 9-17 before each election, the registrars of voters in each municipality shall submit in writing to the Secretary of the State a statement setting forth

**Substitute Senate Bill No. 939**

the total number of names of new electors added to the registry list, and the total number of names of former electors removed from the registry list, in such municipality during the period between the two most recent such last sessions. Such statement shall be submitted annually at a time to be determined by the Secretary of the State. [In municipalities divided into two voting districts that elect registrars of voters for each district, such statement shall be so submitted by the registrars of voters of the first district.]

(b) Not later than a week after the last session of the registrars of voters before an election under section 9-17, the Secretary of the State shall issue a report on the total number of electors on the active and inactive registry list, the total number of electors enrolled on each active and inactive party enrollment list and the total number of unaffiliated electors on the active and inactive registry list in such municipality, as reported by the registrars of voters on the state-wide centralized voter registration system. The Secretary shall omit from such report electors on the last-completed registry list or enrollment lists who have died, but shall include electors who have acquired electoral or enrollment privileges since the last-completed registry list or enrollment lists were perfected.

Sec. 33. Subsection (a) of section 9-135b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Immediately after the deadline for certification of all candidates whose names are to appear on the ballot, [label,] and in sufficient time to begin issuing absentee ballots on the day prescribed by law, the municipal clerk shall prepare the absentee ballots and have them printed. Prior to printing such ballots, the registrars of voters of the municipality may provide comments concerning the content and form of such ballots to the clerk.

**Substitute Senate Bill No. 939**

Sec. 34. Section 9-190 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2012*):

[Any town divided into two voting districts may, by vote of its legislative body, provide for the election of] On and after January 9, 2013, each municipality shall have two registrars of voters for [each voting district instead of two registrars of voters for the entire town] the entire municipality, except as otherwise provided for in this section. Each registrar of voters shall reside in the [town and district] municipality for which [he] the registrar of voters is elected. [Any special act to the contrary notwithstanding] Notwithstanding any special act, for elections held on and after November 6, 2012, in each municipality in which registrars of voters are elected, no elector shall vote for more than one registrar of voters [for the voting district in which the elector resides, or, as the case may be,] for the municipality. [at large.] The candidate having the highest number of votes and the candidate having the next highest number of votes for the office of registrar of voters, who does not belong to the same political party as the candidate having the highest number, shall be declared elected registrars of voters for the municipality, [or district,] provided, if the candidate for registrar of voters of a major party is not one of the registrars of voters so elected, such candidate of such major party shall also be declared elected registrar of voters. For purposes of this section, a major party shall be one having the largest or next largest total number of enrolled party members in the state, as determined by the latest enrollment records in the office of the Secretary of the State submitted in accordance with the provisions of section 9-65, as amended by this act. The term of office of all registrars of voters for voting districts in office on January 7, 1995, shall expire on January 8, 1997, and on November 5, 1996, two registrars shall be elected for each municipality with more than two voting districts which previously elected registrars of voters for voting districts.

**Substitute Senate Bill No. 939**

Sec. 35. Section 9-234 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each registrar of voters shall be present during the taking of the vote at any regular or special state or municipal election in [his] the registrar's of voters town or district. The assistants in their respective districts shall, when requested by either registrar of voters, be present at the taking of any such vote and discharge the duties of registrars of voters. Each registrar of voters shall appoint some suitable person to check the list in each district, unless the [municipality has] registrars of voters have established two shifts for election officials under the provisions of section 9-258a, in which case each such registrar of voters shall appoint one such person for each district for each shift. Each such person, who is so appointed official checker, shall check the name of each elector thereon when [he] the elector offers [his] the elector's vote, and no voting [machine] tabulator tender shall permit any vote to be cast upon the voting [machine] tabulator until the name has been so checked.

Sec. 36. Subsection (b) of section 9-235 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Except for rows of candidates entitled to unofficial checkers under subsection (a) of this section, each group of three or more electors whose names appear in one single row on the [voting machine] ballot [label] in a voting district, may designate not more than two electors of the [town] state in which the voting district is located, to serve as unofficial checkers on behalf of the candidates whose names appear in such row. Such candidates shall submit a list of the names of such designees to the registrars of voters at least forty-eight hours prior to the election. The registrars of voters shall verify that each such designee is an elector of the [town] state and shall appoint not more than two such designees to serve each such row of

**Substitute Senate Bill No. 939**

candidates. The registrars of voters shall, at the request of such a group of three or more electors, change such designations at any time before the closing of the polls on the day of an election.

Sec. 37. Section 9-247 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The registrars of voters shall, before the day of the election, cause [the mechanic or mechanics to insert on each machine the ballot labels corresponding with the sample diagrams provided and to put each such machine] test ballots to be inserted in each tabulator to ensure that each tabulator is prepared and read and cause each other voting system approved by the Secretary of the State for use in the election, including, but not limited to, voting devices equipped for individuals with disabilities that comply with the provisions of the Help America Vote Act, P.L. 107-25, as amended from time to time, to be put in order in every way and set and adjust the same so that it shall be ready for use in voting when delivered at the polling place. Such registrars of voters shall cause [the machine so labeled,] each voting system to be in order and set and adjusted, to be delivered at the polling place, together with all necessary furniture and appliances that go with the same, at the room where the election is to be held, and to be tested and operable not later than [six o'clock in the afternoon of the day preceding the election. Each voting machine shall be furnished with light sufficient to enable electors while voting to read the ballot labels and suitable for use by the election officials in examining the counters. A pencil shall also be provided, within each voting machine, for use in casting a write-in ballot] one hour prior to the opening of the polling place.

Sec. 38. Subsection (a) of section 9-249 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

**Substitute Senate Bill No. 939**

(a) Before each election, the registrars of voters [ , ] and the certified head moderator [and certified mechanic] shall instruct the election officials. Any provision of the general statutes or of any special act to the contrary notwithstanding, election officials shall be appointed at least twenty days before the election except as provided in section 9-229. The registrars [ , ] of voters and the certified head moderator [and certified mechanic] shall instruct each election official who is to serve in a voting district in which a voting [machine] tabulator is to be used in the use of the [machine] tabulator and [his] the election official's duties in connection therewith, and for the purpose of giving such instruction, such instructors shall call such meeting or meetings of the election officials as are necessary. Such instructors shall, without delay, file a report in the office of the municipal clerk and with the Secretary of the State, (1) stating that they have instructed the election officials named in the report and the time and place where such instruction was given, and (2) containing a signed statement from each such election official acknowledging that the official has received such instruction.

Sec. 39. Section 9-242 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A voting [machine] tabulator approved by the Secretary of the State shall be so constructed as to provide facilities for voting for the candidates of at least nine different parties or organizations. It shall permit voting in absolute secrecy. It shall be provided with a lock by means of which any illegal movement of the voting or registering mechanism is absolutely prevented. Such [machine] tabulator shall be so constructed that an elector cannot vote for a candidate or on a proposition for whom or on which [he] the elector is not lawfully entitled to vote.

(b) It shall be so constructed as to prevent an elector from voting for more than one person for the same office, except when [he] the elector

**Substitute Senate Bill No. 939**

is lawfully entitled to vote for more than one person for that office, and it shall afford [him] the elector an opportunity to vote for only as many persons for that office as [he] the elector is by law entitled to vote for, at the same time preventing [his] the elector from voting for the same person twice. It shall be so constructed that all votes cast will be registered or recorded by the machine. In the event that a candidate is cross endorsed and an elector casts more than one vote for such candidate, such vote shall be attributed by the head moderator to the endorsing parties as provided for in this subsection. The head moderator shall (1) determine the percentage of all attributable votes the candidate received that are attributable to each endorsing party, (2) determine the number of ballots upon which an elector voted for the candidate more than once, and (3) apply the percentage determined under subdivision (1) of this subsection for an endorsing party to the total determined under subdivision (2) of this subsection. The resulting number from the calculation under subdivision (3) of this subsection shall be the number of votes the head moderator attributes to the endorsing party associated with the percentage used in the calculation under subdivision (3) of this subsection. The head moderator shall repeat the calculation in subdivision (3) of this subsection for each endorsing party. For any result under subdivision (3) of this subsection that is a fractional number, the head moderator shall round such result to the nearest whole number, provided a half number shall be rounded to the next highest whole number, and provided further that each such endorsing party with a percentage greater than zero under subdivision (1) of this subsection shall receive at least one such vote, with the remaining parties receiving a proportional reduction in votes, if necessary. If any vote remains that can not be evenly attributed to such parties, such vote shall be attributed to the endorsing party with the most votes.

(c) Notwithstanding the provisions of subsection (b) of this section, the Secretary of the State may approve a voting [machine] tabulator

**Substitute Senate Bill No. 939**

which requires the elector in the polls to place [his] the elector's ballot into the recording device and which meets the voluntary performance and test standards for voting systems adopted by (1) the Federal Election Commission on January 25, 1990, as amended from time to time, or (2) the Election Assistance Commission pursuant to the Help America Vote Act of 2002, P.L. 107-252, 42 USC 15481-85, as amended from time to time, whichever standards are most current at the time of the Secretary of the State's approval, and regulations which the Secretary of the State may adopt in accordance with the provisions of chapter 54, provided the voting [machine] tabulator shall (A) warn the elector of overvotes, (B) not record overvotes, and (C) not record more than one vote of an elector for the same person for an office. In the event that a candidate is cross endorsed and an elector casts more than one vote for such candidate, such vote shall be attributed by the head moderator to the endorsing parties as provided for in this subsection. The head moderator shall (i) determine the percentage of all attributable votes the candidate received that are attributable to each endorsing party, (ii) determine the number of ballots upon which an elector voted for the candidate more than once, and (iii) apply the percentage determined under subparagraph (C)(i) of this subsection for an endorsing party to the total determined under subparagraph (C)(ii) of this subsection. The resulting number from the calculation under subparagraph (C)(iii) of this subsection shall be the number of votes the head moderator attributes to the endorsing party associated with the percentage used in the calculation under subparagraph (C)(iii) of this subsection. The head moderator shall repeat the calculation in subparagraph (C)(iii) of this subsection for each endorsing party. For any result under subparagraph (C)(iii) of this subsection that is a fractional number, the head moderator shall round such result to the nearest whole number, provided a half number shall be rounded to the next highest whole number, and provided further that each such endorsing party with a percentage greater than zero under subparagraph (C)(i) of this subsection shall receive at least one

**Substitute Senate Bill No. 939**

such vote, with the remaining parties receiving a proportional reduction in votes, if necessary. If any vote remains that can not be evenly attributed to such parties, such vote shall be attributed to the endorsing party with the most votes.

(d) Any direct recording electronic voting [machine] tabulator approved by the Secretary of the State for an election or primary held on or after July 1, 2005, shall be so constructed as to:

(1) (A) Contemporaneously produce an individual, permanent, paper record containing all of the elector's selections of ballot preferences for candidates and questions or proposals, if any, prior to the elector's casting a ballot, as set forth in this subsection, and (B) produce at any time after the close of the polls a voting [machine] tabulator generated, individual, permanent, paper record of each such elector's selections of ballot preferences for candidates and questions or proposals, if any. Both the contemporaneously produced paper record and the voting [machine] tabulator generated paper record of each elector's selections of ballot preferences shall include a voting [machine] tabulator generated unique identifier that can be matched against each other and which preserves the secrecy of the elector's ballot as set forth in subdivision (4) of this subsection;

(2) Provide each elector with an opportunity to verify that the contemporaneously produced, individual, permanent, paper record accurately conforms to such elector's selection of ballot preferences, as reflected on the electronic summary screen, and to hear, if desired, an audio description of such electronic summary screen, for the purpose of having an opportunity to make any corrections or changes prior to casting the ballot. If an elector makes corrections or changes prior to casting the ballot, the voting [machine] tabulator shall void such contemporaneously produced paper record, contemporaneously produce another paper record containing such corrections or changes and provide the elector with another opportunity to verify ballot

**Substitute Senate Bill No. 939**

preferences in accordance with the provisions of this subdivision. As used in this section, "electronic summary screen" means a screen generated by a direct recording electronic voting [machine] tabulator that displays a summary of an elector's selections of ballot preferences for candidates and questions or proposals, if any, at an election or primary;

(3) Provide that a ballot shall be deemed cast on the voting [machine] tabulator at the time that an elector's contemporaneously produced, individual, permanent, voter-verified paper record, containing all of the elector's final selections of ballot preferences, is (A) deposited inside a receptacle designed to store all such paper records produced by such voting [machine] tabulator on the day of the election or primary, and (B) the elector's selection of ballot preferences is simultaneously electronically recorded inside the voting [machine] tabulator for the purpose of (i) being electronically tabulated immediately after the polls are closed on the day of the election or primary, and (ii) producing, on such other day as required under section 9-242b, a voting [machine] tabulator generated, individual, permanent, paper record of each such elector's selections of ballot preferences for candidates and questions or proposals, if any;

(4) Except as otherwise provided in subdivision (1) of section 9-242b, secure the secrecy of each such elector's ballot by making it impossible for any other individual to identify the elector in relationship to such elector's selection of ballot preferences at the time that the elector (A) selects ballot preferences; (B) verifies the accuracy of the electronic summary screen by comparing it to the contemporaneously produced, individual, permanent, paper record or the audio description of such electronic summary screen, prior to casting a ballot; (C) makes corrections or changes by reselecting ballot preferences and verifies the accuracy of such preferences in accordance with the provisions of subdivision (2) of this subsection prior to casting

**Substitute Senate Bill No. 939**

a ballot; and (D) casts the ballot; and at the time that all electors' ballots are canvassed, recanvassed or otherwise tallied to produce a final count of the vote for candidates and questions or proposals, if any, whether through the electronic vote tabulation process or through the manual count process of each elector's contemporaneously produced, individual, permanent, voter-verified paper record, as set forth in section 9-242b; and

(5) (A) Be accessible to blind or visually impaired persons by providing each elector, if desired by the elector, an audio description of the contemporaneously produced individual, permanent, paper record containing all of the elector's selections of ballot preferences, in addition to an audio description of the electronic summary screen and comply with such additional standards of accessibility included in regulations that the Secretary of the State may adopt in accordance with the provisions of chapter 54.

(B) Notwithstanding the provisions of subparagraph (A) of this subdivision, on or before June 30, 2007, the Secretary of the State may approve an electronic voting [machine] tabulator that does not comply with the provisions of said subparagraph if (i) the Secretary determines that there are no electronic voting [machines] tabulators available for purchase or lease at the time of such approval that are capable of complying with said subparagraph (A), (ii) the electronic voting [machine] tabulator complies with the provisions of subdivisions (1) to (4), inclusive, of this subsection, and (iii) the person applying to the Secretary for approval of the electronic voting [machine] tabulator agrees to include a provision in any contract for the sale or lease of such voting [machines] tabulators that requires such person, upon notification by the Secretary that modifications to such [machines] tabulators that would bring the [machines] tabulators into compliance with said subparagraph (A) are available, to (I) so modify any electronic voting [machines] tabulators previously sold or leased

**Substitute Senate Bill No. 939**

under such contract in order to comply with said subparagraph (A), and (II) provide that any electronic voting [machines] tabulators sold or leased after receipt of such notice comply with said subparagraph (A). No voting [machine] tabulator approved under this subparagraph shall be used on or after July 1, 2007, unless it has been modified to comply with the provisions of subparagraph (A) of this subdivision.

Sec. 40. Section 9-255 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [board of selectmen or the municipal clerk] registrars of voters shall provide for all polling places using voting [machines] tabulators at least [three] two sample [ballot labels which shall be arranged in the form of a diagram showing the entire front of the voting machine as it will appear after the official ballot labels are arranged for voting on election day or that portion thereof which will] ballots that shall contain the offices, party designations, names of candidates, write-in slots and questions to be voted upon. On each such sample ballot [label] shall be printed instructions as to the use of the voting [machine] tabulator, which instructions shall be approved by the Secretary of the State. Such sample [ballot labels] ballots shall be so posted inside the polling place as to be visible to those within the polling place during the whole day of election. At least one of such sample [ballot labels] ballots shall be so posted as to be visible to an elector being instructed on the [demonstrator or spare voting machine] use of the voting tabulator under section 9-260, as amended by this act.

Sec. 41. Section 9-264 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] An elector who requires assistance to vote, by reason of blindness, disability or inability to write or to read the ballot, may be given assistance by a person of the elector's choice, other than (1) the elector's employer, (2) an agent of such employer, [or] (3) an officer or

**Substitute Senate Bill No. 939**

agent of the elector's union, or (4) a candidate for any office on the ballot, unless the elector is a member of the immediate family of such candidate. The person assisting the elector may accompany the elector into the voting [machine] booth. Such person shall register such elector's vote upon the [machine] ballot as such elector directs. Any person accompanying an elector into the voting [machine] booth who deceives any elector in registering [his] the elector's vote under this section or seeks to influence any elector while in the act of voting, or who registers any vote for any elector or on any question other than as requested by such elector, or who gives information to any person as to what person or persons such elector voted for, or how [he] such elector voted on any question, shall be fined not more than one thousand dollars or imprisoned not more than five years, or both. As used in this section, "immediate family" means "immediate family" as defined in section 9-140b.

[(b) Paper ballots provided by the municipal clerk to the moderator pursuant to section 9-259 shall be made available for electors with disabilities in polling places in which a voting machine cannot be adjusted to allow all necessary parts to be reached from a chair. Such paper ballots shall be used at the option of the elector with disabilities. The elector shall announce the elector's name to the checkers who shall cross the elector's name off the registry list and add it with the elector's address to the end of the official checklist where it shall be designated "paper ballot for persons with disabilities" or "PBD" and serially numbered. After the elector has so announced the elector's name, the moderator shall deliver to the elector an absentee ballot and a serially-numbered envelope. The elector shall forthwith mark the ballot in the presence of the moderator in such manner that the moderator shall not know how the ballot is marked. The elector shall fold the ballot in the presence of the moderator so as to conceal the markings and deposit and seal it in the serially-numbered envelope. The elector shall deliver the envelope to the moderator who shall place it in a specially-

**Substitute Senate Bill No. 939**

designated depository envelope. The paper ballots thus received shall be counted at the next scheduled absentee ballot count in the same manner as other absentee ballots. Such ballots so counted shall be preserved by placing them in the depository envelopes with the regular absentee ballots, and such serially-numbered envelopes shall be placed in the depository envelopes with the regular absentee ballot envelopes.]

Sec. 42. (*Effective from passage*) Notwithstanding the provisions of section 9-53 of the general statutes, as amended by this act, concerning the holding of an enrollment session, until January 9, 2013, in each municipality divided into two voting districts that elects registrars of voters for each voting district, any session for enrollment in such municipality shall be held in each such district of the municipality by the registrars of voters of such district, and the notice required under said section 9-53 shall specify the place in each such district in which such session is to be held.

Sec. 43. (*Effective from passage*) Notwithstanding the provisions of section 9-54 of the general statutes, as amended by this act, concerning transfer of enrollment, until January 9, 2013, in municipalities divided into two voting districts or wards where registrars of voters are elected for each voting district or where assistant registrars of voters are appointed for each voting district under section 9-192 of the general statutes, when a transfer of enrollment is made between separate enrollment lists of the same political party because of the removal of an elector from one voting district or ward to another voting district or ward in the same municipality, the registrars of voters or assistant registrars of voters from the voting district or ward where the elector formerly resided shall remove the elector's name from the list and shall report the removal to the registrars of voters or assistant registrars of voters of the same political party in the voting district or ward to which such elector has moved, at which time the registrars of voters or

**Substitute Senate Bill No. 939**

assistant registrars of voters who represent the new district or ward in which the elector then resides shall add such name to the list of the same political party in such district or ward unless such elector has made application for erasure or transfer of enrollment to the list of another party.

Sec. 44. (*Effective from passage*) Notwithstanding the provisions of section 9-65 of the general statutes, as amended by this act, concerning submission of a statement setting forth the total number of names of new electors added to the registry list and the total number of names of former electors removed from the registry list, until January 9, 2013, in municipalities divided into two voting districts that elect registrars of voters for each district, such statement shall be so submitted by the registrars of voters of the first district.

Sec. 45. (*Effective from passage*) Notwithstanding the provisions of section 9-235 of the general statutes, as amended by this act, concerning the appointment of unofficial checkers, until January 9, 2013, in municipalities divided into two voting districts in which registrars are elected for each district, such appointments may be made by the registrars in each district.

Sec. 46. Section 9-256 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [clerk] registrars of voters of each municipality shall, not less than ten days prior to an election, file with the Secretary of the State a sample ballot [label] identical with those to be provided for each polling place under section 9-255, as amended by this act. The Secretary of the State shall examine the sample ballot [label] required to be filed under this section, and if such sample ballot [label] contains an error, the Secretary of the State shall order the [municipal clerk] registrars of voters to reprint a corrected sample ballot [label] or to take other such action as the secretary may deem appropriate.

**Substitute Senate Bill No. 939**

Sec. 47. Section 9-267 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

If, at any time during the performance of his or her duties, any moderator, [challenger,] assistant registrar of voters, official checker, ballot clerk or voting [machine] tabulator tender [or checker] is, from any cause, found incompetent, the registrars of voters may remove him or her and appoint [a] another competent person. [in his stead.]

Sec. 48. Section 9-308 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Immediately on the close of the polls, the election officials shall proceed to canvass the returns as provided in section 9-309 and shall not stop for any purpose until the canvass is completed. The room in which such canvass is made shall be clearly lighted and such canvass shall be made in plain view of the public. No person or persons, during the canvass, shall close or cause to be closed the main entrance to the room in which such canvass is conducted, in such manner as to prevent ingress or egress thereby, but, during such canvass, no person other than the election officials shall be permitted to be [on the side of the guard rail] in the area where the voting [machine] tabulator is located.

Sec. 49. Subsections (b) and (c) of section 9-369a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) When the clerk of the municipality determines that the necessary action has been taken for submission of the question, he shall, at least forty-five days prior to the election, file in the office of the Secretary of the State a statement setting forth the designation of the question as it is to appear on the [voting machine ballot labels] ballot at the election, the date upon which the submitting action was taken and the reference

**Substitute Senate Bill No. 939**

to the law under which the action was taken. Such designation shall be in the form of a question, as provided in section 9-369. Whenever it is specifically provided in the general statutes that any such question may be approved for such submission within the period of forty-five days prior to such an election, and action is taken to submit a question within such period, the clerk of the municipality shall file the statement required by this subsection with the Secretary of the State immediately upon the taking of such action.

(c) When action is taken for submission of a question, from the time of such action through the day of the election, the clerk of the municipality shall make the full text of the question and the designation which is to appear upon the [voting machine ballot labels] ballot available for public inspection. If the designation is not prescribed by law, the clerk shall phrase the designation of the question in a form suitable for printing on the ballot. [label.] The warning of the election shall include a statement that the question is to be voted upon, the designation of the question to appear on the ballot, [labels,] and a statement that the full text of the question is available for public inspection in the clerk's office.

Sec. 50. Subsection (c) of section 9-369c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Upon receipt of the written form of the question or proposal to be voted on at any such referendum, the municipal clerk shall immediately prepare and print absentee ballots for the referendum. The phrasing of the question or proposal on the absentee ballots shall be identical to the phrasing on the ballot [or ballot label] to be used for voting in person at the referendum. Prior to printing the ballots, the registrars of voters of the municipality may provide comments concerning the content and form of such ballots to the clerk.

**Substitute Senate Bill No. 939**

Sec. 51. Section 9-452 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

All minor parties nominating candidates for any elective office shall make such nominations and certify and file a list of such nominations, as required by this section, not later than the sixty-second day prior to the day of the election at which such candidates are to be voted for. A list of nominees in printed or typewritten form that includes each candidate's name as authorized by each candidate to appear on the ballot, the signature of each candidate, the full street address of each candidate and the title and district of the office for which each candidate is nominated shall be certified by the presiding officer of the committee, meeting or other authority making such nomination and shall be filed by such presiding officer with the Secretary of the State, in the case of state or district office or the municipal office of state representative, state senator or judge of probate, or with the clerk of the municipality, in the case of municipal office, not later than the sixty-second day prior to the day of the election. The [clerk] registrars of voters of such municipality shall promptly verify and correct the names on any such list filed with him, or the names of nominees forwarded to [him] the clerk of the municipality by the Secretary of the State, in accordance with the registry list of such municipality and endorse the same as having been so verified and corrected. For purposes of this section, a list of nominations shall be deemed to be filed when it is received by the secretary or clerk, as appropriate.

Sec. 52. Section 9-476 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Except as otherwise provided in this chapter, the provisions of chapter 145 and chapter 153 concerning absentee voting at primaries, conduct of primaries and return and tabulation of the vote at such primaries shall apply as nearly as practicable and in the manner prescribed by the [secretary] Secretary of the State, to a presidential

**Substitute Senate Bill No. 939**

preference primary. The primary officials of each party for each polling place shall be as specified in section 9-436, except that (1) the appointment of assistant registrars of voters and absentee ballot counters shall be permitted but not required, (2) the minimum number of official checkers shall be one, (3) the minimum number of voting [machine] tabulator tenders shall be one for each two voting [machines] tabulators in use, (4) if two parties are holding primaries and the registrars of voters of such parties so agree, such registrars of voters may jointly appoint (A) one [enrolled member of either party to serve as] moderator of both primaries and (B) one enrolled member of either party to serve as head moderator of both primaries, (5) notwithstanding any reduction in the number of primary officials as permitted by this section, any duty required of primary officials by the general statutes may be performed by one or more primary officials, at the direction of the registrar of voters of the party of such officials and (6) the registrar of voters shall have the sole power to appoint such officials. In making such appointments the registrar shall attempt, to the extent practicable, to provide representation for each candidate at each polling place. The provisions of section 9-436a shall apply to each candidate whose name appears on the ballot, except that each such candidate, through [his] such candidate's authorized or known representative, may submit to the registrar of voters the name of one designee as candidate checker for each polling place, and the registrar of voters shall appoint such designee as candidate checker for such candidate. Notwithstanding the provisions of section 9-438, as amended by this act, the polls shall be open for voting at the primary between the hours of six o'clock a.m. and eight o'clock p.m. The moderator or head moderator of the primary in each town shall prepare duplicate [lists of] head moderator returns in the manner provided by section 9-440, but notwithstanding the provisions of said section, [he] the moderator or head moderator may electronically transmit such returns not later than eleven fifty-nine o'clock p.m. on primary day, provided a hard copy is mailed to the Secretary of the

**Substitute Senate Bill No. 939**

State not later than two o'clock p.m. of the day following the primary or shall hand deliver one of such [lists] returns to either the secretary or the state police by two o'clock p.m. of the day following the primary. Any moderator or head moderator, as the case may be, who fails to deliver such list to either the secretary or the state police by such time shall pay a late filing fee of fifty dollars.

Sec. 53. Section 2-30a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) At such time as a proposed constitutional amendment [is] and its concomitant ballot question are approved by the General Assembly for presentation to the electors of the state for their consideration at a general election, the Office of Legislative Research shall prepare a concise explanatory text as to the content and purpose of the proposed constitutional amendment subject to the approval of the joint standing committee of the General Assembly having cognizance of constitutional amendments. Upon such approval, the Secretary of the State shall cause such proposed amendment and such explanatory text to be printed and transmitted to the town clerk, and to the registrars of voters in each town in the state in sufficient supply for public distribution.

(b) The Secretary of the State shall print the explanations of proposed constitutional amendments, as required by subsection (a) of this section, on posters of a size to be determined by said secretary and shall mail at least three such posters for every polling place within a town, to the [town clerk] registrars of voters. Said [clerk] registrars shall cause at least three such posters to be posted at each polling place at which electors shall be voting on such proposed constitutional amendments. Any posters received by [a town clerk] the registrars in excess of the number required by this subsection to be so posted may be displayed by said [clerk at his] registrars at their discretion at locations which are frequented by the public. No expenditure of state

**Substitute Senate Bill No. 939**

funds shall be made to influence electors to vote for or against any such proposed constitutional amendment.

Sec. 54. Section 9-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [mechanic or mechanics] registrar or registrars shall file a written report of the condition of each [machine] tabulator certifying that (1) they have prepared the [machines] tabulators, (2) all the counters are set at zero (000), (3) [all] the ballot [labels are] is properly [placed thereon] prepared, (4) the [grouping mechanism] tabulator has been properly adjusted according to the [ballot labels] ballots, and (5) each [machine] tabulator is otherwise in readiness for the election. This report shall include the number of each [machine] tabulator and a statement of any defects or features of the [machine] tabulator that need attention or correction. The [mechanic or mechanics] registrar or registrars shall also place upon each of the [machines] tabulators a numbered [metal] seal, secured in such a way that, before any movement of the registering or voting mechanism can be effected, such seal will be destroyed or broken. All voting [machines] tabulators shall be transferred to the polling places in charge of an elector authorized by the registrars of voters under whose direction the voting [machines] tabulators are to be prepared, as provided in section 9-240a; and such elector shall certify to their delivery in good order. Additional [machines] tabulators required under section 9-238 shall be so located by the registrars of voters as to be available for immediate transfer to the polling places within the municipality. The [mechanic or mechanics] registrar or registrars shall have custody of the keys of the voting [machines only when they are at work on such machines, and immediately thereafter such keys shall be returned to the municipal clerk. The return of such keys shall, in each case, be made before the day of election] tabulators.

(b) The [mechanic or mechanics] registrar or registrars shall file a

**Substitute Senate Bill No. 939**

written report detailing any repairs made to a [machine] tabulator on the day of an election. This report shall certify (1) the number of the [machine] tabulator, (2) the time when the problem occurred, (3) a summary description of the work performed, and (4) that no repairs were made to the [machine] tabulator, after any vote was cast on the day of an election, that would affect the manner in which votes were recorded on the [machine] tabulator.

Sec. 55. Subsection (f) of section 9-610 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) (1) A political committee established by two or more individuals under subparagraph (B) of [subsection] subdivision (3) of section 9-601, other than a committee established solely for the purpose of aiding or promoting any candidate or candidates for municipal office or the success or defeat of a referendum question, shall be subject to the prohibition on acceptance of lobbyist contributions under subsection (e) of this section unless the campaign treasurer of the committee has filed a [certification that the committee is not established for an assembly or senatorial district, or by a member of the General Assembly or a state officer, or such member or officer's agent, or in consultation with, or at the request or suggestion of, any such member, officer or agent, or controlled by such member, officer or agent. The campaign treasurer of any political committee established by or controlled by a lobbyist shall file a certification to that effect. Such certifications shall be filed] registration statement as described in subsection (b) of section 9-605 with the State Elections Enforcement Commission, on or before November 15, 2012, for all such political committees in existence on such date, or, if the committee is not in existence on such date, not later than ten days after the organization of the committee pursuant to subsection (a) of section 9-605, and on or before November fifteenth of each even-numbered year thereafter.

***Substitute Senate Bill No. 939***

Such statements shall be filed even if there are no changes, additions or deletions to the registration statement previously filed with the commission.

(2) A political committee established for ongoing political activities and required pursuant to subsection (a) of section 9-603 to file statements with the commission shall be subject to the prohibition on making contributions under subsection (e) of this section unless the campaign treasurer of the committee has filed a registration statement as described in subsection (b) of section 9-605 with the [State Elections Enforcement Commission] commission, on forms prescribed by the commission, on or before November 15, [2008] 2012, for all such political committees in existence on such date, or, [upon the registration of the committee] if the committee is not in existence on such date, not later than ten days after the organization of the committee pursuant to subsection (a) of section 9-605, and on or before November fifteenth [biennially] of each even-numbered year thereafter. Such statements shall be filed even if there are no changes, additions or deletions to the registration statement previously filed with the commission.

(3) The commission shall prepare a list of all such committees subject to the prohibitions under subsection (e) of this section, [according to the certifications filed, which] based upon an evaluation of registrations filed pursuant to this subsection and subsection (b) of section 9-605. Such list shall be available prior to the opening of each regular session of the General Assembly, and shall provide a copy of the list to the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives and each state officer. During each such regular session, the commission shall prepare a supplemental list of committees [which] that register after November fifteenth and are subject to such prohibitions, and the commission shall

**Substitute Senate Bill No. 939**

provide the supplemental list to such legislative leaders and state officers. The filing of the [certification] registration statement by the campaign treasurer of the committee shall not impair the authority of the commission to act under section 9-7b, as amended by this act. Any lobbyist or campaign treasurer who acts in reliance on such lists in good faith shall have an absolute defense in any action brought under subsection (e) and this subsection, subsection (c) of section 9-604, and subsection (f) of section 9-608.

Sec. 56. (NEW) (*Effective January 1, 2012*) (a) Any elector who is permanently physically disabled and who files an application for an absentee ballot with a certification from a primary care provider, indicating that such elector is permanently physically disabled and unable to appear in person at such elector's designated polling location, shall be eligible for permanent absentee ballot status and shall receive an application for an absentee ballot for each election, primary or referendum conducted in such elector's municipality for which such elector is eligible to vote. Such elector's permanent absentee ballot status shall remain in effect until such elector: (1) Is removed from the official registry list of the municipality, (2) is removed from permanent absentee ballot status pursuant to the provisions of this section, or (3) requests that he or she no longer receive such permanent absentee ballot status.

(b) The registrars of voters shall send written notice to each such elector with permanent absentee ballot status in January of each year, on a form prescribed by the Secretary of the State, for the purpose of determining if such elector continues to reside at the address indicated on the elector's permanent absentee ballot application. If such written notice is not returned within thirty days or is returned as undeliverable, the elector in question shall be removed from permanent absentee ballot status. If such elector indicates on such notice that the elector no longer resides at such address and the

**Substitute Senate Bill No. 939**

elector's new address is within the same municipality, the registrars of voters shall change the elector's address pursuant to section 9-35 of the general statutes and such elector shall retain permanent absentee ballot status. If the elector indicates on such notice that the elector no longer resides in the municipality, the registrars of voters shall remove such individual from the registry list of the municipality and send such individual an application for voter registration. Failure to return such written notice shall not result in the removal of an elector from the official registry list of the municipality.

Sec. 57. Section 9-225 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The town clerk or assistant town clerk of each town shall warn the electors therein to meet on the Tuesday following the first Monday in November in the even-numbered years, at six o'clock a.m., which warning shall be given by publication in a newspaper having a general circulation in such town, or towns in the case of a joint publication under subsection (b) of this section, not more than fifteen nor less than five days previous to holding such election. The clerk in each town shall, in the warning for such election, give notice of the time and the location of the polling place in the town, and in towns divided into voting districts, of the time and the location of the polling place in each district, at which such election will be held. The town clerk shall record each such warning.

(b) Notwithstanding the provisions of any charter or home rule ordinance, the warning under subsection (a) of this section may be published jointly by two or more towns in a newspaper, provided all other requirements of this section with respect to such warning are met.

Sec. 58. Section 9-433 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

**Substitute Senate Bill No. 939**

(a) After the deadline set forth in section 9-400, as amended by this act, for filing candidacies, and upon the completion of the tabulation of petition signatures, if any, if one or more candidacies for nomination by a political party to a state or district office have been filed in accordance with the provisions of section 9-400, as amended by this act, the Secretary of the State shall notify the clerk of each town within the state or within the district, as the case may be, that a primary is to be held by such party for the nomination of such party to such office. Such notice shall include a list of all the proposed candidates, those endorsed by the convention as well as those filing candidacies, together with their addresses and the titles of the office for which they are candidates and, if applicable, a statement that unaffiliated electors may vote in the primary. The clerk of each such town shall thereupon cause such notice to be published forthwith in a newspaper having a general circulation in such town, or towns in the case of a joint publication under subsection (b) of this section, together with a statement of the date upon which the primary is to be held, the hours during which the polls shall be open and the location of the polls.

(b) Notwithstanding the provisions of any charter or home rule ordinance, the warning under subsection (a) of this section may be published jointly by two or more towns in a newspaper, provided all other requirements of this section with respect to such warning are met.

Sec. 59. (*Effective from passage*) The Secretary of the State shall, within available appropriations, recommend a method to allow for on-line voting by military personnel stationed out of state. The Secretary shall look at what other states have done to reduce any potential for fraud in on-line voting and determine whether any such state's on-line voting system could be appropriate for adapted use by this state. Not later than January 1, 2012, the secretary shall, in accordance with the provisions of section 11-4a of the general statutes, report any progress

**Substitute Senate Bill No. 939**

made toward recommending such a method to the joint standing committee of the General Assembly having cognizance of matters relating to elections.

Sec. 60. Subsection (b) of section 9-400 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) A candidacy for nomination by a political party to a district office may be filed by or on behalf of any person whose name appears upon the last-completed enrollment list of such party within [any municipality or part of a municipality forming a component part of such district] the district the person seeks to represent that is in the office of the Secretary of the State at the end of the last day prior to the convention for the party from which the person seeks nomination and who has either (1) received at least fifteen per cent of the votes of the convention delegates present and voting on any roll-call vote taken on the endorsement or proposed endorsement of a candidate for such district office, whether or not the party-endorsed candidate for such office received a unanimous vote on the last ballot, or (2) circulated a petition and obtained the signatures of at least two per cent of the enrolled members of such party in the district for the district office of representative in Congress, and at least five per cent of the enrolled members of such party in the district for the district offices of state senator, state representative and judge of probate, in accordance with the provisions of sections 9-404a to 9-404c, inclusive. Candidacies described in subdivision (1) of this subsection shall be filed by submitting to the Secretary of the State not later than four o'clock p.m. on the fourteenth day following the close of the district convention, a certificate, signed by such candidate and attested by either (A) the chairman or presiding officer, or (B) the secretary of the convention, that such candidate received at least fifteen per cent of such votes, and that the candidate consents to be a candidate in a primary of such

**Substitute Senate Bill No. 939**

party for such district office. Such certificate shall specify the candidate's name as the candidate authorizes it to appear on the ballot, the candidate's full residence address and the title and district of the office for which the candidacy is being filed. Candidacies described in subdivision (2) of this subsection shall be filed by submitting said petition not later than four o'clock p.m. on the sixty-third day preceding the day of the primary for such office to the registrar of voters of the towns in which the respective petition pages were circulated. Each registrar shall file each page of such petition with the Secretary in accordance with the provisions of section 9-404c. A petition may only be filed by or on behalf of a candidate for the district office of state senator, state representative or judge of probate who is not certified as the party-endorsed candidate pursuant to section 9-388 or as receiving at least fifteen per cent of the convention vote for such office pursuant to this subsection. A petition filed by or on behalf of a candidate for the district office of representative in Congress shall be invalid if said candidate is certified as the party-endorsed candidate pursuant to section 9-388 or as receiving at least fifteen per cent of the convention vote for such office pursuant to this subsection. Except as provided in section 9-416a, upon the expiration of the time period for party endorsement and circulation and tabulation of petitions and signatures, if any, if one or more candidacies for such district office have been filed pursuant to the provisions of this section, the Secretary of the State shall notify all town clerks within the district, in accordance with the provisions of section 9-433, as amended by this act, that a primary for such district office shall be held in each municipality and each part of a municipality within the district in accordance with the provisions of section 9-415.

Sec. 61. Section 9-172a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For purposes of special elections, the term "revised registry list last

**Substitute Senate Bill No. 939**

completed", as used in sections 9-170, 9-171 and 9-172, means the registry list last completed for the last regular election held in the municipality or political subdivision holding the special election, together with the [supplementary or] updated list of persons in such municipality or political subdivision who acquired voting privileges since the completion of such list compiled under section 9-172b, as amended by this act.

Sec. 62. Section 9-406 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A candidacy for nomination by a political party to a municipal office or a candidacy for election as a member of a town committee may be filed by or on behalf of any person whose name appears upon the last-completed enrollment list of such party within the municipality or within the political subdivision, senatorial district or assembly district within which a person is to be nominated or a town committee member is to be elected, as the case may be. Any such candidacy shall be filed by filing with the registrar within the applicable time specified in section 9-405 a petition signed by (1) at least five per cent of the electors whose names appear upon the last-completed enrollment list of such party in such municipality or in such political subdivision, senatorial district or assembly district, or (2) such lesser number of such electors as such party by its rules prescribes, as the case may be. For the purpose of computing five per cent of the last-completed enrollment list, the registrar shall use the last printed enrollment list and the printed [supplementary or] updated list, if any, of a political party certified and last completed by the registrars of voters prior to the date the first primary petition was issued, excluding therefrom the names of individuals who have ceased to be electors.

Sec. 63. Subsection (c) of section 9-140 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

**Substitute Senate Bill No. 939**

*passage*):

(c) The municipal clerk shall check the name of each absentee ballot applicant against the last-completed registry list and any [supplementary] updated registry lists on file in the municipal clerk's office. If the name of such applicant does not appear on any of such lists, the clerk shall send such applicant a notice, in a form prescribed by the Secretary of the State, to the effect that (1) the applicant's name did not appear on the list of electors of the municipality at the time the application was processed, and (2) unless the applicant is admitted or restored as an elector of the municipality by the applicable cutoff dates an absentee ballot will not be mailed to him. Such notice shall not be so mailed if, prior to the mailing of the notice, the registrars provide the clerk with reliable information showing the absentee ballot applicant to be an elector of the municipality.

Sec. 64. Subsection (a) of section 9-241 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person owning or holding an interest in any voting machine, as defined in subsection (w) of section 9-1, may apply to the Secretary of the State to examine such machine and report on its accuracy and efficiency. The Secretary of the State shall examine the machine and determine whether, in the Secretary's opinion, the kind of machine so examined (1) meets the requirements of section 9-242, as amended by this act, and (2) can be used at elections, primaries and referenda held pursuant to this title. [, and (3) in the case of an electronic voting machine examined by the Secretary after the Voting Technology Standards Board submits the report required under section 9-242c, complies with the standards adopted by said board under section 9-242c.] If the Secretary of the State determines that the machine can be so used, such machine may be adopted for such use. No machine not so approved shall be so used. Each application shall

**Substitute Senate Bill No. 939**

be accompanied by a fee of one hundred dollars and the Secretary of the State shall not approve any machine until such fee and the expenses incurred by the Secretary in making the examination have been paid by the person making such application. Any voting machine company that has had its voting machine approved and that subsequently alters such machine in any way shall provide the Secretary of the State with notice of such alterations, including a description thereof and a statement of the purpose of such alterations. If any such alterations appear to materially affect the accuracy, appearance or efficiency of the machine, or modify the machine so that it can no longer be used at elections, primaries or referenda held pursuant to this title, at the discretion of the Secretary of the State, the company shall submit such alterations for inspection and approval, at its own expense, before such altered machines may be used. The Secretary of the State may adopt regulations, in accordance with the provisions of chapter 54, concerning examination and approval of voting machines under this section. No voting machine that records votes by means of holes punched in designated voting response locations may be approved or used at any election, primary or referendum held pursuant to this title.

Sec. 65. Subsection (a) of section 9-400 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A candidacy for nomination by a political party to a state office may be filed by or on behalf of any person whose name appears upon the last-completed enrollment list of such party in any municipality within the state and who has either (1) received at least fifteen per cent of the votes of the convention delegates present and voting on any roll-call vote taken on the endorsement or proposed endorsement of a candidate for such state office, whether or not the party-endorsed candidate for such office received a unanimous vote on the last ballot,

***Substitute Senate Bill No. 939***

or (2) circulated a petition and obtained the signatures of at least two per cent of the enrolled members of such party in the state, in accordance with the provisions of sections 9-404a to 9-404c, inclusive. Candidacies described in subdivision (1) of this subsection shall be filed by submitting to the Secretary of the State not later than four o'clock p.m. on the fourteenth day following the close of the state convention, a certificate, signed by such candidate and attested by either (A) the chairman or presiding officer, or (B) the secretary of the convention, that such candidate received at least fifteen per cent of such votes, and that such candidate consents to be a candidate in a primary of such party for such state office. Such certificate shall specify the candidate's name as the candidate authorizes it to appear on the ballot, the candidate's full residence address and the title of the office for which the candidacy is being filed. A single such certificate or petition for state office may be filed on behalf of two or more candidates for different state offices who consent to have their names appear on a single row of the primary ballot [label] under subsection (b) of section 9-437. Candidacies described in subdivision (2) of this subsection shall be filed by submitting said petition not later than four o'clock p.m. on the sixty-third day preceding the day of the primary for such office to the registrar of voters of the towns in which the respective petition pages were circulated. Each registrar shall file each page of such petition with the Secretary of the State in accordance with the provisions of section 9-404c. A petition filed by or on behalf of a candidate for state office shall be invalid for such candidate if such candidate is certified as the party-endorsed candidate pursuant to section 9-388 or as receiving at least fifteen per cent of the convention vote for such office pursuant to this subsection. Except as provided in section 9-416a, upon the expiration of the time period for party endorsement and circulation and tabulation of petitions and signatures, if any, if one or more candidacies for such state office have been filed pursuant to the provisions of this section, the Secretary of the State shall notify all town clerks and registrars of voters in

**Substitute Senate Bill No. 939**

accordance with the provisions of section 9-433, that a primary for such state office shall be held in each municipality in accordance with the provisions of section 9-415.

Sec. 66. Section 9-434 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Upon the filing with the clerk of a municipality of the names of party-endorsed candidates pursuant to section 9-390 or upon the filing with such clerk of petitions for contesting candidates pursuant to section 9-412, such clerk shall verify and correct the names of any such [candidates in accordance with the registry list of such municipality,] candidate as the candidate authorizes the candidate's name to appear on the ballot, pursuant to the certificate filed in accordance with subsection (c) of section 9-391 or the statement of consent filed in accordance with section 9-409, as applicable, endorse the same as having been so verified and corrected and use the same in the preparation of the [ballot labels] ballots for the primary. The provisions of this section shall not apply to the municipal offices of state senator and state representative.

Sec. 67. Section 9-440 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Upon the closing of the polls at any primary held under sections 9-382 to 9-450, inclusive, the moderator, in the presence of the other officials, shall immediately lock the voting [machines] tabulators against voting and shall then proceed to ascertain, record and announce the result in the manner provided by law for ascertaining, recording and announcing the result in regular elections. The election officials shall execute certificates and returns similar to those required in regular elections. The moderator in each town not divided into voting districts, and the head moderator in each town divided into voting districts, shall transmit the results of the vote for each office

**Substitute Senate Bill No. 939**

contested at any such primary in the same manner and within the same time as provided under section 9-314 in an election for such office. The late filing fee provided under section 9-314 shall apply to late filing of results of primaries for state or district office. In the case of primaries for state or district offices, the Secretary of the State shall forthwith cause to be tabulated the result of the votes cast in the several municipalities in which such primaries have been held and shall publicly declare the result thereof, and a certificate attesting thereto shall be entered in [his] the Secretary's records.

Sec. 68. Section 9-446 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) If two or more candidates obtain the same number of votes at a primary held to nominate candidates for a state or district office, and a tie vote thereby occurs, any of such candidates, or the state chairman of the political party, may apply for a recanvass of the returns in the manner provided in section 9-445, as amended by this act. If no such application is made, or if any such recanvass results in a tie vote, such primary shall stand adjourned for three weeks at the same hour at which the first primary was held. [Ballot labels] Ballots of the same form and description as described in section 9-437 shall be used in the primary on such adjourned day, and the primary shall be conducted in the same manner as on the first day, except that the votes shall be cast for such office only. [Ballot labels] Ballots for such primary shall be provided forthwith by the [clerk] registrars of voters of each municipality wherein such primary stands adjourned, and each [such] clerk of the municipality shall furnish the Secretary of the State with an accurate list of all candidates to be voted for at such adjourned primary. The clerk of each municipality in the state or the district, whichever is applicable, wherein such primary so stands adjourned shall, at least three days prior to the day of such adjourned primary, give notice of the day, hours, place and purpose thereof by publishing

***Substitute Senate Bill No. 939***

such notice in a newspaper published in such municipality or having a circulation therein. No such primary shall be held if prior to such primary all but one of the candidates for such office die, withdraw their names or for any reason become disqualified to hold such office, and, in such event, the remaining candidate shall be deemed to be lawfully voted upon as the candidate for such office. No withdrawal shall be valid until the candidate who has withdrawn has filed a letter of withdrawal signed by such candidate with the Secretary of the State. When such a primary is required to be held under the provisions of this section and prior to such primary all but one of the candidates for such office die, withdraw their names or for any reason become disqualified to hold such office, the Secretary of the State shall forthwith notify the [municipal clerk] registrars of voters of such fact, and shall forthwith direct the [clerk] registrars that such primary shall not be held. In the case of a multiple-opening office only the names of those candidates whose votes are equal shall be placed on the ballot [label] of the adjourned primary. If such second primary results in a tie vote, the Secretary of the State, in the presence of not fewer than three disinterested persons, and after notification to the candidates obtaining the same number of votes and the chairperson of the state central committee of the party holding the primary of the time when and the place where such tie vote is to be dissolved, shall dissolve such tie vote by lot. The Secretary of the State shall execute a certificate attesting to the result of the dissolution of such tie vote, and the person so certified or the slate so certified as having been chosen by lot shall be deemed to have received a plurality of the votes cast and shall be deemed to have been chosen as the nominee of such party to such office.

(b) If two or more candidates obtain the same number of votes at a primary held to nominate candidates for a municipal office or to elect members of a town committee, or if two or more slates of candidates obtain the same number of votes at a primary held for justices of the peace, and a tie vote thereby occurs, any of such candidates, or the

**Substitute Senate Bill No. 939**

town chairman of the political party, may apply for a recanvass of the returns in the manner provided in section 9-445, as amended by this act. If no such application is made, or if any such recanvass results in a tie vote, such primary shall stand adjourned for three weeks at the same hour at which the first primary was held. [Ballot labels] Ballots of the same form and description as described in section 9-437 shall be used in the primary on such adjourned day, and the primary shall be conducted in the same manner as on the first day, except that the votes shall be cast for such office only. [Ballot labels] Ballots for such primary shall be provided forthwith by the [clerk] registrars of voters of the municipality wherein such primary stands adjourned, and [such] the clerk of the municipality shall furnish the Secretary of the State with an accurate list of all candidates to be voted for at such adjourned primary. The clerk of the municipality wherein such primary so stands adjourned shall, at least three days prior to the day of such adjourned primary, give notice of the day, hours, place and purpose thereof by publishing such notice in a newspaper published in such municipality or having a circulation therein. No such primary shall be held if prior to such primary all but one of the candidates for such office die, withdraw their names or for any reason become disqualified to hold such office, and, in such event, the remaining candidate shall be deemed to be lawfully voted upon as the candidate for such office. No withdrawal shall be valid until the candidate who has withdrawn has filed a letter of withdrawal signed by such candidate with the municipal clerk. When such a primary is required to be held under the provisions of this section and prior to such primary all but one of the candidates for such office die, withdraw their names or for any reason become disqualified to hold such office, the Secretary of the State shall forthwith notify the municipal clerk of such fact, and shall forthwith direct the clerk that such primary shall not be held. In the case of a multiple-opening office only the names of those candidates whose votes are equal shall be placed on the ballot [label] of the adjourned primary. If such second primary results in a tie vote, the registrar, in

***Substitute Senate Bill No. 939***

the presence of not fewer than three disinterested persons, and after notification to the candidates obtaining the same number of votes and the chairperson of the town committee of the party holding the primary of the time when and the place where such tie vote is to be dissolved, shall dissolve such tie vote by lot. The registrar shall execute a certificate attesting to the result of the dissolution of such tie vote, and the person so certified or the slate so certified as having been chosen by lot shall be deemed to have received a plurality of the votes cast and shall be deemed to have been chosen as the nominee of such party to such office.

Sec. 69. Sections 9-6a, 9-229a and 9-242c of the general statutes are repealed. (*Effective from passage*)

Approved July 13, 2011